

Message Text

PAGE 01 STATE 187016 TOSEC 080209
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DRAFTED BY AF/S:JDAVIDOW;DH
APPROVED BY AF- TSEELYE
AF/S:DKEOGH
EUR-MR. VINE
AF-WEDMONDSON
S/S-O-JETHYDEN

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FM SECSTATE WASHDC
TO AMEMBASSY OTTAWA IMMEDIATE
AMEMBASSY PARIS IMMEDIATE
AMEMBASSY BONN IMMEDIATE
INFO USDEL SECRETARY IMMEDIATE IMMEDIATE
AMEMBASSY LUSAKA IMMEDIATE
AMEMBASSY PRETORIA IMMEDIATE
AMEMBASSY SAN JOSE IMMEDIATE
AMEMBASSY LONDON IMMEDIATE

C O N F I D E N T I A L STATE 187016 TOSEC 080209

EXDIS, FOR AMBASSADORS, SAN JOSE FOR AMBASSADOR YOUNG

E.O. 11652: X-GDS-1

TAGS: RH, UK, PDEV

SUBJECT: RHODESIA: APPROACH TO HOST GOVERNMENTS

1. ADDRESSEES HAVE BEEN PREVIOUSLY INFORMED OF US-UK
DESIRE TO JOINTLY APPROACH HOST GOVERNMENTS AND PRESENT
DETAILS OF ANGLO-AMERICAN SETTLEMENT PROPOSALS FOR
RHODESIAN CRISIS. BRITISH PRESENTED OUTLINE OF THESE
PROPOSALS IN GENERAL TERMS TO M. GEORGY, DIRECTOR OF
CONFIDENTIAL

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AFRICAN AFFAIRS AT THE QUAI, IN LONDON ON AUGUST 8.
THEREFORE, APPROACH IN PARIS NEED NOT BE AS DETAILED OR
AS EXTENSIVE AS THOSE IN BONN AND OTTAWA THOUGH DIRECT
INVOLVEMENT OF US-UK AMBASSADORS IS NEVERTHELESS DESIRABLE.

2. WE HAVE AGREED WITH BRITISH THAT THEY WOULD TAKE
LEAD IN INITIATING APPOINTMENT AND PRESENTING POSITION
IN OTTAWA MEETING WHILE WE WOULD DO SAME IN BONN. JOINT
APPOINTMENTS FOR YOU AND BRITISH AMBASSADOR SHOULD BE
REQUESTED FOR AUGUST 9 WITH FOREIGN MINISTER OR HIGHEST

RANKING AVAILABLE FOREIGN MINISTRY OFFICIAL.

3. PRIMARY PURPOSE OF MEETING WILL BE TO HAND OVER TO THESE GOVERNMENTS AGREED TEXT (BELOW) OF ANGLO-AMERICAN SETTLEMENT PROPOSALS. AMBASSADORS SHOULD SUMMARIZE

TEXT IN THEIR PRESENTATIONS. IT SHOULD BE STRESSED THAT THIS DOCUMENT MUST REMAIN ABSOLUTELY CONFIDENTIAL.

4. IN HANDING OVER THE DOCUMENT IT SHOULD BE EXPLAINED THAT THE GENERAL ANGLO-AMERICAN STRATEGY IS TWO-FOLD: TO PERSUADE THE SOUTH AFRICAN GOVERNMENT TO PUT PRESSURE ON SMITH REGIME TO ACCEPT OUR PROPOSALS AND TO PERSUADE THE FRONT LINE PRESIDENTS TO USE THEIR INFLUENCE WITH THE NATIONALISTS PARTICULARLY THE NKOMO-MUGABE PATRIOTIC FRONT, TO DO LIKEWISE.

5. YOU SHOULD ALSO EXPLAIN OUR PROPOSED TIMETABLE. IN HIS MEETINGS LAST WEEK WITH PRESIDENT NYERERE, PRESIDENT CARTER INITIATED THE CURRENT EFFORT. SECRETARY OWEN AND SECRETARY VANCE WILL MEET WITH SOUTH AFRICA FOREIGN MINISTER BOTHA ON 12 AUGUST IN LONDON. OWEN AND VANCE WILL SUBSEQUENTLY MEET WITH NYERERE IN LONDON
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ON THE 13TH. THESE MEETINGS WILL BE FOLLOWED BY A TRIP TO SOUTHERN AFRICA BY OWEN AND A HIGH LEVEL AMERICAN OFFICIAL, PROBABLY AMBASSADOR YOUNG. NYERERE HAS AGREED TO CONVOKE A MEETING OF THE FRONT LINE PRESIDENTS ON OR ABOUT AUGUST 19 AT WHICH WE WILL PRESENT THE SETTLEMENT PROPOSALS. THIS WOULD BE FOLLOWED BY SEPARATE MEETINGS WITH THE PATRIOTIC FRONT AND OTHER NATIONALISTS LEADERS, REPRESENTATIVES OF THE SMITH REGIME AND WITH THE NIGERIANS IN LAGOS. WE WOULD ALSO PROBABLY MEET AGAIN WITH BOTHA, AND PRESUMABLY PRIME MINISTER VORSTER, ON THIS SAME TRIP TO ASSESS THEIR REACTION TO THE PROPOSALS AND TO OUR REQUEST FOR THEIR ASSISTANCE IN PUTTING PRESSURE ON THE RHODESIANS. ONCE THESE MEETINGS HAVE TAKEN PLACE THE PROPOSALS WOULD BE PUBLISHED AS A BRITISH WHITE PAPER AND FORMALLY CONVEYED TO THE PRESIDENT OF THE SECURITY COUNCIL.

6. AMBASSADORS SHOULD STRESS THAT IT WOULD GREATLY STRENGTHEN OUR HAND IN TALKING TO BOTHA IF FOREIGN SECRETARY OWEN AND SECRETARY VANCE COULD SPEAK IN THE KNOWLEDGE THAT OUR ALLIES ARE WILLING TO GIVE THESE PROPOSALS THEIR SUPPORT. WE WOULD HOPE THAT THEY WOULD AGREE TO INSTRUCT THEIR REPRESENTATIVES IN PRETORIA TO INFORM THE SOUTH AFRICAN GOVERNMENT IN THIS SENSE SOMETIME EARLY IN THE WEEK OF AUGUST 14, THAT IS AFTER RPT AFTER THE LONDON MEETING WITH BOTHA IN LONDON, BUT BEFORE THE SUBSEQUENT PROPOSED SOUTH AFRICAN MEETING

AROUND AUGUST 20. IT WOULD ALSO BE IMMENSELY HELPFUL IF THEY COULD INDICATE A WILLINGNESS IN PRINCIPLE TO CONTRIBUTE TO THE PROPOSED ZIMBABWE DEVELOPMENT FUND,

WHICH THE SOUTH AFRICANS REGARD AS A KEY INDUCEMENT TO THE EUROPEANS.

7. YOU SHOULD POINT OUT THAT THE PROPOSALS ENVISAGE A REFERENCE TO THE SECURITY COUNCIL. ACTION THERE WILL BE CONFIDENTIAL

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DEPEND ON THE REACTIONS OF THE PARTIES. IF THE SOUTH AFRICANS DO NOT AGREE TO WORK ON SMITH, WE MAY NEED TO INTRODUCE EXPANSIONS OF CURRENT SANCTIONS AGAINST RHODESIA (E.G. MANDATORY MEASURES ON OIL AND ARMS) WHICH WOULD DIRECTLY IMPINGE ON SOUTH AFRICA. IF THE AFRICANS REJECT THE PROPOSALS, WE WILL NEVERTHELESS PRESENT THEM TO THE WORLD BODY. ANY MANDATORY RESOLUTIONS UNDER THE FIRST SCENARIO WOULD BE RELATED TIGHTLY TO THE EXISTING CHAPTER 7 DETERMINATION ON RHODESIA.

8. BELOW IS THE TEXT OF THE JOINT US-UK SETTLEMENT PROPOSALS WHICH YOU SHOULD LEAVE WITH THE FOREIGN MINISTER OR FOREIGN MINISTRY OFFICIAL. (THE ANNEXES MENTIONED IN THE DOCUMENT WILL BE PROVIDED TO THE HOST GOVERNMENTS AT A LATER DATE.)

BRITISH-US PROPOSALS FOR A SETTLEMENT IN RHODESIA.

1. ON 10 MARCH 1977 THE BRITISH AND US GOVERNMENTS AGREED TO WORK TOGETHER ON A JOINT PEACE INITIATIVE TO ACHIEVE A NEGOTIATED SETTLEMENT IN RHODESIA. THE OBJECTIVE WAS AN INDEPENDENT ZIMBABWE WITH MAJORITY RULE IN 1978.

2. TO SUCCEED, ANY SETTLEMENT MUST COMMAND THE SUPPORT OF THOSE PEOPLE OF GOODWILL OF ALL RACES AND CREEDS WHO INTEND TO LIVE TOGETHER IN PEACE AS CITIZENS OF ZIMBABWE. AMONGST THESE PEOPLE THERE ARE NOW MANY CONFLICTING INTERESTS AND VIEWS. THERE IS AN ATMOSPHERE OF DEEP DISTRUST. THE ARMED STRUGGLE HAS LED TO THE LOSS OF MANY LIVES AND TO MUCH HUMAN SUFFERING. THE ECONOMY HAS BEEN GRAVELY WEAKENED. BUT THERE IS SURELY
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ONE OVERRIDING COMMON INTEREST, THAT PEACE SHOULD BE RESTORED AND THAT GOVERNMENT WITH THE CONSENT AND IN THE INTEREST OF ALL THE PEOPLE SHOULD BE ESTABLISHED.

3. IN APRIL THE BRITISH FOREIGN AND COMMONWEALTH SECRETARY TOURED THE AREA AND MET ALL THE PARTIES TO THE PROBLEM AS WELL AS THE PRESIDENTS OF THE FIVE FRONT-LINE STATES, THE PRIME MINISTER OF SOUTH AFRICA AND THE COMMISSIONER FOR EXTERNAL AFFAIRS OF NIGERIA. HE SET OUT THE ELEMENTS WHICH, TAKEN TOGETHER, COULD IN THE VIEW OF THE TWO GOVERNMENTS COMPRISE A NEGOTIATED SETTLEMENT, AS FOLLOWS:

(A) A CONSTITUTION FOR INDEPENDENT ZIMBABWE WHICH WOULD PROVIDE FOR

(1) A DEMOCRATICALLY-ELECTED GOVERNMENT, WITH THE WIDEST POSSIBLE FRANCHISE:

(2) A BILL OF RIGHTS TO PROTECT INDIVIDUAL HUMAN RIGHTS ON THE BASIS OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS. THE BILL WOULD BE QUOTE ENTRENCHED UNQUOTE SO THAT AMENDMENT OF IT WOULD BE MADE SUBJECT TO SPECIAL LEGISLATIVE PROCEDURES AND IT WOULD GIVE THE RIGHT TO AN INDIVIDUAL WHO BELIEVED HIS RIGHTS WERE BEING INFRINGED TO SEEK REDRESS THROUGH THE COURTS:

(3) AN INDEPENDENT JUDICIARY.

(B) A TRANSITION PERIOD COVERING THE SURRENDER OF POWER BY THE PRESENT REGIME, THE INSTALLATION OF A NEUTRAL CARETAKER ADMINISTRATION WHOSE PRIMARY ROLE, IN

ADDITION TO ADMINISTERING THE COUNTRY, WOULD BE THE ORGANIZATION AND CONDUCT OF ELECTIONS IN CONDITIONS OF PEACE AND SECURITY AND THE PREPARATION OF THE COUNTRY
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FOR THE TRANSITION TO INDEPENDENCE. THIS PERIOD IT WAS ENVISAGED, WOULD BE AS SHORT AS POSSIBLE, AND IN ANY CASE NOT MORE THAN SIX MONTHS:

(C) THE ESTABLISHMENT OF AN INTERNATIONALLY CONSTITUTED AND MANAGED DEVELOPMENT FUND (THE ZIMBABWE DEVELOPMENT FUND).

4. FOLLOWING THAT TOUR, DR. OWEN AND MR. VANCE MET IN LONDON ON 6 MAY AND AGREED TO CARRY FORWARD THEIR CONSULTATIONS WITH THE PARTIES ON THE BASIS OF THESE PROPOSALS. TO THIS END THEY ESTABLISHED A JOINT CONSULTATIVE GROUP. THE GROUP MET ALL THE PARTIES ON A NUMBER OF OCCASIONS IN LONDON AND IN AFRICA AND CARRIED OUT DETAILED TECHNICAL DISCUSSIONS WITH THEM. IN PARALLEL, THE GOVERNMENTS OF INTERESTED COUNTRIES HAVE BEEN KEPT INFORMED GENERALLY OF THE PROGRESS OF THE CONSULTATIONS.

5. ON THE BASIS OF THESE CONSULTATIONS THE BRITISH GOVERNMENT IN FULL AGREEMENT WITH THE US GOVERNMENT, HAVE NOW DECIDED TO PUT FIRM PROPOSALS FORWARD, COVERING THE THREE ASPECTS OF THE PROBLEM DESCRIBED ABOVE. IN DOING SO THEY EMPHASIZE THAT THE THREE ASPECTS ARE INTIMATELY LINKED AND MUST BE JUDGED AS A WHOLE. IT IS IMPOSSIBLE FOR EVERY SINGLE ASPECT OF A SETTLEMENT TO BE ACCEPTABLE TO EVERYONE. THE BEST, IF NOT THE ONLY, HOPE FOR A SETTLEMENT IS A BALANCED AND FAIR PACKAGE IN WHICH, THOUGH NO ONE MAY ACHIEVE ALL HIS AIMS, EVERYONE CAN SEE HOPE FOR THE FUTURE.

THE CONSTITUTION

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6. IT IS PROPOSED THAT THE INDEPENDENCE CONSTITUTION SHOULD PROVIDE THAT ZIMBABWE WOULD BE A SOVEREIGN REPUBLIC. PROVISION WOULD BE MADE FOR DEMOCRATIC ELECTIONS ON THE BASIS OF ONE MAN, ONE VOTE AND ONE WOMAN, ONE VOTE, FOR A SINGLE-CHAMBER NATIONAL ASSEMBLY. ELECTIONS WOULD BE ON THE BASIS OF SINGLE-MEMBER CONSTITUENCIES. DETAILED CONSTITUTIONAL PROPOSALS ARE SET OUT AT ANNEX A TO THIS DOCUMENT. THE PROPOSALS SHOULD NOT NECESSARILY BE TAKEN AS EXCLUDING ALTERNATIVE POSSIBILITIES IN CERTAIN AREAS WHICH DO NOT GO TO THE HEART OF THE CONSTITUTION: EG PROVISION IS MADE FOR AN EXECUTIVE PRESIDENT WITH A VICE-PRESIDENT, BUT THERE

MIGHT INSTEAD BE A CONSTITUTIONAL PRESIDENT AND A PRIME MINISTER, IN WHICH CASE MANY OF THE POWERS WHICH IT IS PROPOSED TO VEST IN THE PRESIDENT WOULD BE VESTED IN THE PRIME MINISTER OR WOULD BE EXERCISED BY THE PRESIDENT ON THE ADVICE OF THE PRIME MINISTER.

7. DISCRIMINATION WOULD BE FORBIDDEN BY A BILL OF RIGHTS PROTECTING THE RIGHTS OF INDIVIDUALS. AS DESCRIBED ABOVE (PARA 3(A)(2)) THIS BILL OF RIGHTS WOULD BE ENTRENCHED IN THE CONSTITUTION AND WOULD BE JUSTICIABLE SO THAT AGGRIEVED INDIVIDUALS COULD ENFORCE THEIR RIGHTS THROUGH THE COURTS. THE BILL OF RIGHTS WOULD PERMIT THE GOVERNMENT OF ZIMBABWE TO INTRODUCE MEASURES OF LAND REFORM WHILE GUARANTEEING THE RIGHT TO PRIVATE PROPERTY. THE CONSTITUTION WOULD ALSO ESTABLISH AN INDEPENDENT JUDICIARY AND AN INDEPENDENT PUBLIC SERVICE COMMISSION TO ENSURE AN EFFICIENT AND NON-POLITICAL CIVIL SERVICE.

8. THE GOVERNMENT OF ZIMBABWE WOULD INHERIT THE ASSETS AND DEBTS OF THE GOVERNMENT OF SOUTHERN RHODESIA AND WOULD TAKE OVER PAST AND PRESENT PENSIONS OBLIGATIONS

IN THE PUBLIC SECTOR, THE RIGHTS OF THE PENSIONERS
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BEING GUARANTEED BY THE CONSTITUTION. THE CONSTITUTION WOULD CONTAIN THE BASIC PROVISIONS REGULATING ZIMBABWE CITIZENSHIP AND THESE WOULD BE ENTRENCHED. THE QUESTION WHETHER THERE SHOULD BE ANY RESTRICTIONS ON THE POSSESSION OF DUAL CITIZENSHIP AND IF SO, WHETHER THERE SHOULD BE AN EXTENDED PERIOD DURING WHICH THE CHOICE MUST BE MADE, WOULD BE A MATTER FOR FURTHER DISCUSSION WITH THE PARTIES.

9. THE COMMONWEALTH GOVERNMENTS IN LONDON EXPRESSED THE UNANIMOUS HOPE THAT ZIMBABWE WOULD SOON BECOME A MEMBER OF THE COMMONWEALTH. THE BRITISH GOVERNMENT WILL DO EVERYTHING TO FACILITATE THIS.

THE TRANSITION

10. IT IS A BASIC PREMISE OF THE BRITISH AND US GOVERNMENTS THAT THE PRESENT ILLEGAL REGIME WILL SURRENDER POWER SO THAT THE TRANSITIONAL ADMINISTRATION MAY BE INSTALLED PEACEFULLY. THE TWO GOVERNMENTS WILL TAKE SUCH STEPS AS SEEM TO THEM APPROPRIATE TO SECURE THE TRANSFER OF POWER BY MR. SMITH (OR HIS SUCCESSOR) ON A DAY TO BE AGREED.

11. THE BRITISH GOVERNMENT WILL PLACE BEFORE THE SECURITY COUNCIL THEIR PROPOSAL FOR THE INDEPENDENCE CONSTITUTION (ANNEX A) AND ALSO THEIR PROPOSAL FOR THE ADMINISTRATION OF THE TERRITORY OF RHODESIA DURING THE TRANSITION PERIOD LEADING UP TO INDEPENDENCE. THE LATTER WILL COMPRISE THE FOLLOWING ELEMENTS:

(A) THE APPOINTMENT BY THE BRITISH GOVERNMENT, EITHER UNDER EXISTING STATUTORY POWERS OR UNDER NEW POWERS
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ENACTED FOR THE PURPOSE, OF A RESIDENT COMMISSIONER AND A DEPUTY. THE ROLE OF THE RESIDENT COMMISSIONER WILL BE TO ADMINISTER THE COUNTRY, TO ORGANIZE AND CONDUCT THE GENERAL ELECTION WHICH, WITHIN A PERIOD NOT EXCEEDING SIX MONTHS, WILL LEAD TO INDEPENDENCE FOR ZIMBABWE, AND TO TAKE COMMAND, AS COMMANDER-IN-CHIEF, OF ALL RHODESIAN ARMED FORCES INCLUDING THE FORCES NOW OPERATING AS THE FORCES OF THE REGIME AND THE LIBERATION ARMIES:

(B) THE APPOINTMENT BY THE SECRETARY GENERAL OF THE UN, ON THE AUTHORITY OF THE SECURITY COUNCIL, OF A SPECIAL REPRESENTATIVE WHOSE ROLE WILL BE TO WORK WITH

THE RESIDENT COMMISSIONER AND TO OBSERVE THAT THE ADMINISTRATION OF THE COUNTRY AND THE ORGANIZATION AND CONDUCT OF THE ELECTIONS IS FAIR AND IMPARTIAL:

(C) THE ESTABLISHMENT BY RESOLUTION OF THE SECURITY COUNCIL OF A UNITED NATIONS ZIMBABWE FORCE WHOSE ROLE MAY INCLUDE: 1) THE SUPERVISION OF THE CEASEFIRE (SEE BELOW); 2) SUPPORT FOR THE CIVIL POWER; 3) LIAISON WITH THE EXISTING RHODESIAN ARMED FORCES AND WITH THE FORCES OF THE LIBERATION ARMIES. THE SECRETARY GENERAL WILL BE INVITED TO APPOINT A REPRESENTATIVE TO ENTER INTO DISCUSSIONS BEFORE THE TRANSITION PERIOD WITH THE BRITISH RESIDENT COMMISSIONER-DESIGNATE AND WITH ALL THE PARTIES WITH A VIEW TO ESTABLISHING IN DETAIL THE RESPECTIVE ROLES OF ALL THE FORCES IN RHODESIA.

(D) THE PRIMARY RESPONSIBILITY FOR THE MAINTENANCE OF LAW AND ORDER DURING THE TRANSITIONAL PERIOD WILL LIE WITH THE POLICE FORCES. THEY WILL BE UNDER THE COMMAND OF A COMMISSIONER OF POLICE WHO WILL BE APPOINTED BY AND RESPONSIBLE TO THE RESIDENT COMMISSIONER. THE SPECIAL REPRESENTATIVE OF THE SECRETARY GENERAL OF THE UN MAY APPOINT LIAISON OFFICERS TO THE POLICE FORCES:

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(E) THE ESTABLISHMENT BY THE RESIDENT COMMISSIONER OF AN ELECTORAL AND BOUNDARY COMMISSION; WITH THE ROLE OF

CARRYING OUT THE REGISTRATION OF VOTERS, THE DELIMITATION OF CONSTITUENCIES AND THE HOLDING OF A GENERAL ELECTION FOR THE PURPOSES OF THE INDEPENDENCE CONSTITUTION. ON THE AGREED DAY ON WHICH POWER IS TRANSFERRED TO THE TRANSITIONAL ADMINISTRATION (PARA 10 ABOVE), A CEASE-FIRE WILL COME INTO EFFECT WITHIN RHODESIA AND MEASURES WILL BE TAKEN TO LIFT SANCTIONS.

12. AN OUTLINE OF THE TRANSITIONAL CONSTITUTION IS AT ANNEX B.

THE ZIMBABWE DEVELOPMENT FUND

13. THE ZIMBABWE DEVELOPMENT FUND, JOINTLY SPONSORED BY THE BRITISH AND US GOVERNMENTS, WILL HAVE AS A TARGET A MINIMUM APPROACHING ONE BILLION DOLLARS AND A MAXIMUM RATHER LESS THAN ONE AND A HALF BILLION DOLLARS, TO WHICH GOVERNMENTS IN MANY PARTS OF THE WORLD WILL BE ASKED TO CONTRIBUTE. ITS PURPOSE WILL BE TO PROVIDE FUNDS FOR THE ECONOMIC STABILITY AND DEVELOPMENT OF AN INDEPENDENT ZIMBABWE THROUGH ASSISTANCE TO VARIOUS SECTORS AND PROGRAMMES SUCH AS RURAL DEVELOPMENT, EDUCATION, HEALTH, SOCIAL AND ECONOMIC INFRASTRUCTURE,

AND RESETTLEMENT AND TRAINING SCHEMES FOR AFRICANS,
INCLUDING THOSE AFFECTED BY THE PRESENT CONFLICT. THE
OPERATIONS OF THE FUND WOULD HELP TO ENSURE THAT THE
OBLIGATIONS OF THE ZIMBABWE GOVERNMENT UNDER THE
SETTLEMENT WILL NOT INHIBIT ECONOMIC DEVELOPMENT IN
ZIMBABWE FOR LACK OF FOREIGN EXCHANGE AND THEREBY ALSO
HELP TO REASSURE THOSE WHO MAY FEAR THAT THE NEW
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GOVERNMENT MAY BE UNABLE TO CARRY OUT THESE OBLIGATIONS.
THE ESTABLISHMENT AND CONTINUED OPERATION OF THE FUND
ARE PREDICATED UPON THE ACCEPTANCE AND IMPLEMENTATION
OF THE TERMS OF THE SETTLEMENT AS A WHOLE. A MORE
DETAILED ACCOUNT OF THE PROPOSED FUND IS AT ANNEX C.

CONCLUSION:

14. THE BRITISH AND US GOVERNMENTS BELIEVE THAT THE
ABOVE PROPOSALS PROVIDE FOR ALL THE CITIZENS OF THE
INDEPENDENT ZIMBABWE SECURITY, BUT NOT PRIVILEGE, UNDER
THE RULE OF LAW, EQUAL POLITICAL RIGHTS WITHOUT DISCRIM-
INATION, AND THE RIGHT TO BE GOVERNED BY A GOVERNMENT
OF THEIR OWN CHOICE. THEY ALSO BELIEVE THAT THE
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TO USMISSION USUN NEW YORK IMMEDIATE

C O N F I D E N T I A L STATE 187016

EXDIS FOR LEONARD AND MCHENRY

FOLLOWING REPEAT STATE 187016 ACITION OTTAWA PARIS BONN INFO USDEL
SECRETARY LUSAKA PRETORIA SAN JOSE LONDON AUGUST 09.

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(1) A DEMOCRATICALLY-ELECTED GOVERNMENT, WITH THE WIDEST POSSIBLE FRANCHISE:

(2) A BILL OF RIGHTS TO PROTECT INDIVIDUAL HUMAN RIGHTS ON THE BASIS OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS. THE BILL WOULD BE QUOTE ENTRENCHED UNQUOTE SO THAT AMENDMENT OF IT WOULD BE MADE SUBJECT TO SPECIAL LEGISLATIVE PROCEDURES AND IT WOULD GIVE THE RIGHT TO AN INDIVIDUAL WHO BELIEVED HIS RIGHTS WERE

BEING INFRINGED TO SEEK REDRESS THROUGH THE COURTS:

(3) AN INDEPENDENT JUDICIACY.

(B) A TRANSITION PERIOD COVERING THE SURRENDER OF POWER BY THE PRESENT REGIME, THE INSTALLATION OF A NEUTRAL CARETAKER ADMINISTRATION WHOSE PRIMARY ROLE, IN

ADDITION TO ADMINISTERING THE COUNTRY, WOULD BE THE ORGANIZATION AND CONDUCT OF ELECTIONS IN CONDITIONS OF PEACE AND SECURITY AND THE PREPARATION OF THE COUNTRY FOR THE TRANSITION TO INDEPENDENCE. THIS PERIOD IT WAS ENVISAGED, WOULD BE AS SHORT AS POSSIBLE, AND IN ANY CASE NOT MORE THAN SIX MONTHS:
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(C) THE ESTABLISHMENT OF AN INTERNATIONALLY CONSTITUTED AND MANAGED DEVELOPMENT FUND (THE ZIMBABWE DEVELOPMENT FUND).

4. FOLLOWING THAT TOUR, DR. OWEN AND MR. VANCE MET IN LONDON ON 6 MAY AND AGREED TO CARRY FORWARD THEIR CONSULTATIONS WITH THE PARTIES ON THE BASIS OF THESE PROPOSALS. TO THIS END THEY ESTABLISHED A JOINT CONSULTATIVE GROUP. THE GROUP MET ALL THE PARTIES ON A NUMBER OF OCCASIONS IN LONDON AND IN AFRICA AND CARRIED OUT DETAILED TECHNICAL DISCUSSIONS WITH THEM. IN PARALLEL, THE GOVERNMENTS OF INTERESTED COUNTRIES HAVE BEEN KEPT INFORMED GENERALLY OF THE PROGRESS OF THE CONSULTATIONS.

5. ON THE BASIS OF THESE CONSULTATIONS THE BRITISH GOVERNMENT IN FULL AGREEMENT WITH THE US GOVERNMENT, HAVE NOW DECIDED TO PUT FIRM PROPOSALS FORWARD, COVERING THE THREE ASPECTS OF THE PROBLEM DESCRIBED ABOVE. IN DOING SO THEY EMPHASIZE THAT THE THREE ASPECTS ARE INTIMATELY LINKED AND MUST BE JUDGED AS A WHOLE. IT IS IMPOSSIBLE FOR EVERY SINGLE ASPECT OF A SETTLEMENT TO BE ACCEPTABLE TO EVERYONE. THE BEST, IF NOT THE ONLY, HOPE FOR A SETTLEMENT IS A BALANCED AND FAIR PACKAGE IN WHICH, THOUGH NO ONE MAY ACHIEVE ALL HIS AIMS, EVERYONE CAN SEE HOPE FOR THE FUTURE.

THE CONSTITUTION

6. IT IS PROPOSED THAT THE INDEPENDENCE CONSTITUTION SHOULD PROVIDE THAT ZIMBABWE WOULD BE A SOVEREIGN REPUBLIC. PROVISION WOULD BE MADE FOR DEMOCRATIC
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ELECTIONS ON THE BASIS OF ONE MAN, ONE VOTE AND ONE WOMAN, ONE VOTE, FOR A SINGLE-CHAMBER NATIONAL ASSEMBLY. ELECTIONS WOULD BE ON THE BASIS OF SINGLE-MEMBER CONSTITUENCIES. DETAILED CONSTITUTIONAL PROPOSALS ARE SET OUT AT ANNEX A TO THIS DOCUMENT. THE PROPOSALS SHOULD NOT NECESSARILY BE TAKEN AS EXCLUDING ALTERNATIVE POSSIBILITIES IN CERTAIN AREAS WHICH DO NOT GO TO THE HEART OF THE CONSTITUTION: EG PROVISION IS MADE FOR AN EXECUTIVE PRESIDENT WITH A VICE-PRESIDENT, BUT THERE

MIGHT INSTEAD BE A CONSTITUTIONAL PRESIDENT AND A PRIME MINISTER, IN WHICH CASE MANY OF THE POWERS WHICH IT IS PROPOSED TO VEST IN THE PRESIDENT WOULD BE VESTED IN THE PRIME MINISTER OR WOULD BE EXERCISED BY THE PRESIDENT ON THE ADVICE OF THE PRIME MINISTER.

7. DISCRIMINATION WOULD BE FORBIDDEN BY A BILL OF RIGHTS PROTECTING THE RIGHTS OF INDIVIDUALS. AS DESCRIBED ABOVE (PARA 3(A)(2)) THIS BILL OF RIGHTS WOULD BE ENTRENCHED IN THE CONSTITUTION AND WOULD BE JUSTICIABLE SO THAT AGGRIEVED INDIVIDUALS COULD ENFORCE THEIR RIGHTS THROUGH THE COURTS. THE BILL OF RIGHTS WOULD PERMIT THE GOVERNMENT OF ZIMBABWE TO INTRODUCE MEASURES OF LAND REFORM WHILE GUARANTEEING THE RIGHT TO PRIVATE PROPERTY. THE CONSTITUTION WOULD ALSO ESTABLISH AN INDEPENDENT JUDICIARY AND AN INDEPENDENT PUBLIC SERVICE COMMISSION TO ENSURE AN EFFICIENT AND NON-POLITICAL CIVIL SERVICE.

8. THE GOVERNMENT OF ZIMBABWE WOULD INHERIT THE ASSETS AND DEBTS OF THE GOVERNMENT OF SOUTHERN RHODESIA AND WOULD TAKE OVER PAST AND PRESENT PENSIONS OBLIGATIONS IN THE PUBLIC SECTOR, THE RIGHTS OF THE PENSIONERS BEING GUARANTEED BY THE CONSTITUTION. THE CONSTITUTION WOULD CONTAIN THE BASIC PROVISIONS REGULATING ZIMBABWE CITIZENSHIP AND THESE WOULD BE ENTRENCHED. THE QUESTION CONFIDENTIAL

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WHETHER THERE SHOULD BE ANY RESTRICTIONS ON THE POSSESSION OF DUAL CITIZENSHIP AND IF SO, WHETHER THERE SHOULD BE AN EXTENDED PERIOD DURING WHICH THE CHOICE MUST BE MADE, WOULD BE A MATTER FOR FURTHER DISCUSSION WITH THE PARTIES.

9. THE COMMONWEALTH GOVERNMENTS IN LONDON EXPRESSED THE UNANIMOUS HOPE THAT ZIMBABWE WOULD SOON BECOME A MEMBER OF THE COMMONWEALTH. THE BRITISH GOVERNMENT WILL DO EVERYTHING TO FACILITATE THIS.

THE TRANSITION

10. IT IS A BASIC PREMISE OF THE BRITISH AND US

GOVERNMENTS THAT THE PRESENT ILLEGAL REGIME WILL SURRENDER POWER SO THAT THE TRANSITIONAL ADMINISTRATION MAY BE INSTALLED PEACEFULLY. THE TWO GOVERNMENTS WILL TAKE SUCH STEPS AS SEEM TO THEM APPROPRIATE TO SECURE THE TRANSFER OF POWER BY MR. SMITH (OR HIS SUCCESSOR) ON A DAY TO BE AGREED.

11. THE BRITISH GOVERNMENT WILL PLACE BEFORE THE SECURITY COUNCIL THEIR PROPOSAL FOR THE INDEPENDENCE CONSTITUTION (ANNEX A) AND ALSO THEIR PROPOSAL FOR THE ADMINISTRATION OF THE TERRITORY OF RHODESIA DURING THE TRANSITION PERIOD LEADING UP TO INDEPENDENCE. THE LATTER WILL COMPRISE THE FOLLOWING ELEMENTS:

(A) THE APPOINTMENT BY THE BRITISH GOVERNMENT, EITHER UNDER EXISTING STATUTORY POWERS OR UNDER NEW POWERS ENACTED FOR THE PURPOSE, OF A RESIDENT COMMISSIONER AND A DEPUTY. THE ROLE OF THE RESIDENT COMMISSIONER WILL BE TO ADMINISTER THE COUNTRY, TO ORGANIZE AND CONDUCT CONFIDENTIAL

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THE GENERAL ELECTION WHICH, WITHIN A PERIOD NOT EXCEEDING SIX MONTHS, WILL LEAD TO INDEPENDENCE FOR ZIMBABWE, AND TO TAKE COMMAND, AS COMMANDER-IN-CHIEF, OF ALL RHODESIAN ARMED FORCES INCLUDING THE FORCES NOW OPERATING AS THE FORCES OF THE REGIME AND THE LIBERATION ARMIES:

(B) THE APPOINTMENT BY THE SECRETARY GENERAL OF THE UN, ON THE AUTHORITY OF THE SECURITY COUNCIL, OF A SPECIAL REPRESENTATIVE WHOSE ROLE WILL BE TO WORK WITH THE RESIDENT COMMISSIONER AND TO OBSERVE THAT THE ADMINISTRATION OF THE COUNTRY AND THE ORGANIZATION AND CONDUCT OF THE ELECTIONS IS FAIR AND IMPARTIAL:

(C) THE ESTABLISHMENT BY RESOLUTION OF THE SECURITY COUNCIL OF A UNITED NATIONS ZIMBABWE FORCE WHOSE ROLE MAY INCLUDE: 1) THE SUPERVISION OF THE CEASEFIRE (SEE BELOW); 2) SUPPORT FOR THE CIVIL POWER; 3) LIAISON WITH THE EXISTING RHODESIAN ARMED FORCES AND WITH THE FORCES OF THE LIBERATION ARMIES. THE SECRETARY GENERAL WILL BE INVITED TO APPOINT A REPRESENTATIVE TO ENTER INTO DISCUSSIONS BEFORE THE TRANSITION PERIOD WITH THE BRITISH RESIDENT COMMISSIONER-DESIGNATE AND WITH ALL THE PARTIES WITH A VIEW TO ESTABLISHING IN DETAIL THE RESPECTIVE ROLES OF ALL THE FORCES IN RHODESIA.

(D) THE PRIMARY RESPONSIBILITY FOR THE MAINTENANCE OF LAW AND ORDER DURING THE TRANSITIONAL PERIOD WILL LIE WITH THE POLICE FORCES. THEY WILL BE UNDER THE COMMAND OF A COMMISSIONER OF POLICE WHO WILL BE APPOINTED BY AND RESPONSIBLE TO THE RESIDENT COMMISSIONER. THE SPECIAL REPRESENTATIVE OF THE SECRETARY GENERAL OF THE

UN MAY APPOINT LIAISON OFFICERS TO THE POLICE FORCES:

(E) THE ESTABLISHMENT BY THE RESIDENT COMMISSIONER OF AN KLECTORAL AND BOUNDARY COMMISSION; WITH THE ROLE OF

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CARRYING OUT THE REGISTRATION OF VOTERS, THE DELIMITATION OF CONSTITUENCIES AND THE HOLDING OF A GENERAL ELECTION FOR THE PURPOSES OF THE INDEPENDENCE CONSTITUTION. ON THE AGREED DAY ON WHICH POWER IS TRANSFERRED TO THE TRANSITIONAL ADMINISTRATION (PARA 10 ABOVE), A CEASE-FIRE WILL COME INTO EFFECT WITHIN RHODESIA AND MEASURES WILL BE TAKEN TO LIFT SANCTIONS.

12. AN OUTLINE OF THE TRANSITIONAL CONSTITUTION IS AT ANNEX B.

THE ZIMBABWE DEVELOPMENT FUND

13. THE ZIMBABWE DEVELOPMENT FUND, JOINTLY SPONSORED BY THE BRITISH AND US GOVERNMENTS, WILL HAVE AS A TARGET A MINIMUM APPROACHING ONE BILLION DOLLARS AND A MAXIMUM RATHER LESS THAN ONE AND A HALF BILLION DOLLARS, TO WHICH GOVERNMENTS IN MANY PARTS OF THE WORLD WILL BE ASKED TO CONTRIBUTE. ITS PURPOSE WILL BE TO PROVIDE FUNDS FOR THE ECONOMIC STABILITY AND DEVELOPMENT OF AN INDEPENDENT ZIMBABWE THROUGH ASSISTANCE TO VARIOUS SECTORS AND PROGRAMMES SUCH AS RURAL DEVELOPMENT, EDUCATION, HEALTH, SOCIAL AND ECONOMIC INFRASTRUCTURE, AND RESETTLEMENT AND TRAINING SCHEMES FOR AFRICANS, INCLUDING THOSE AFFECTED BY THE PRESENT CONFLICT. THE OPERATIONS OF THE FUND WOULD HELP TO ENSURE THAT THE OBLIGATIONS OF THE ZIMBABWE GOVERNMENT UNDER THE SETTLEMENT WILL NOT INHIBIT ECONOMIC DEVELOPMENT IN ZIMBABWE FOR LACK OF FOREIGN EXCHANGE AND THEREBY ALSO HELP TO REASSURE THOSE WHO MAY FEAR THAT THE NEW GOVERNMENT MAY BE UNABLE TO CARRY OUT THESE OBLIGATIONS. THE ESTABLISHMENT AND CONTINUED OPERATION OF THE FUND ARE PREDICATED UPON THE ACCEPTANCE AND IMPLEMENTATION

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OF THE TERMS OF THE SETTLEMENT AS A WHOLE. A MORE DETAILED ACCOUNT OF THE PROPOSED FUND IS AT ANNEX C.

CONCLUSION:

14. THE BRITISH AND US GOVERNMENTS BELIEVE THAT THE ABOVE PROPOSALS PROVIDE FOR ALL THE CITIZENS OF THE INDEPENDENT ZIMBABWE SECURITY, BUT NOT PRIVILEGE, UNDER

THE RULE OF LAW, EQUAL POLITICAL RIGHTS WITHOUT DISCRIMINATION, AND THE RIGHT TO BE GOVERNED BY A GOVERNMENT OF THEIR OWN CHOICE. THEY ALSO BELIEVE THAT THE PROPOSED ARRANGEMENTS FOR THE TRANSFER OF POWER ARE CALCULATED TO ENSURE A QUICK, ORDERLY AND PEACEFUL TRANSITION TO INDEPENDENCE. THEY HAVE AGREED TO USE

THEIR JOINT INFLUENCE TO THE FULL TO PUT THE PROPOSALS INTO EFFECT. BUT A LASTING SETTLEMENT CANNOT BE IMPOSED FROM OUTSIDE: IT IS THE PEOPLE OF ZIMBABWE WHO MUST ACHIEVE THEIR OWN INDEPENDENCE. THESE PROPOSALS OFFER THEM A WAY. THE TWO GOVERNMENTS URGE THEM TO SIEZE THE OPPORTUNITY. END TEXT. CHRISTOPHER UNQUOTE CHRISTOPHER

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<< END OF DOCUMENT >>

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